

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
OXFORD DIVISION

JOSHUA SISCO

PLAINTIFF

V.

Case No.: 3:21cv059-DMB-RP

UNIVERSITY OF MISSISSIPPI, and
GLENN BOYCE

DEFENDANTS

**DEFENDANTS' MOTION TO DISMISS
PLAINTIFF'S FIRST AMENDED COMPLAINT**

Defendants University of Mississippi (the "University") and Chancellor Glenn Boyce ("Chancellor Boyce") (collectively, "Defendants"), reserving all rights and defenses, ask this Court to dismiss Plaintiff Joshua Sisco's First Amended Complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and/or 12(b)(6). In support, Defendants state as follows:

1. Sisco lacks standing to pursue much of his requested injunctive relief.
2. The Eleventh Amendment bars Sisco's Americans with Disabilities Act ("ADA") claims against the University and Chancellor Boyce.
3. Sisco has not stated a plausible disability discrimination claim under Title II of the ADA or the Rehabilitation Act of 1973.
4. The Court lacks subject matter jurisdiction over Sisco's captioning claims for televised content.

In support of their Motion, Defendants rely on the pleadings and papers filed of record in this action and their Memorandum Brief submitted contemporaneously herewith.

FOR THESE REASONS, Defendants respectfully move this Court to dismiss Plaintiff's claims in their entirety. Defendants request such other relief as the Court deems appropriate under the circumstances.

This the 6th day of July 2021.

Respectfully submitted,

UNIVERSITY OF MISSISSIPPI
AND CHANCELLOR GLENN BOYCE

/s/ J. Andrew Mauldin
POPE S. MALLETT. (MB NO. 9836)
J. ANDREW MAULDIN (MB NO. 104227)
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